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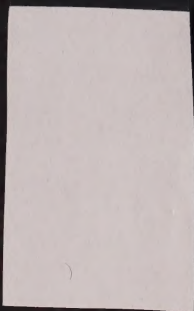
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Ontario

Ministry of
Consumer and
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special occasion permits



Ontario

Ministry of
Consumer and
Commercial
Relations

Disponible en français, sur demande.

Service de permis pour occasion spéciale
Commission des permis de vente d'alcool de
l'Ontario

55 est, boulevard Lakeshore

Toronto, (Ontario) M5E 1A4

Téléphone: (416) 965-4675

Obtaining A Special Occasion Permit

Applicant's Guide to the Liquor Licence Act, 1975 and its Regulations

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Introduction

A special occasion permit is required if you or your group plan to serve liquor at an event held in a public hall. You may obtain an application form from the Liquor Licence Board of Ontario head office or any Liquor Control Board of Ontario outlet. The completed form should be submitted, together with the permit fee and levy and any other information which may be required, to the board.

This booklet is designed to help you complete an application for a special occasion permit by explaining the types of permit, the fee structure, the categories of events for which a permit may be required, the amount of liquor which may be purchased, the regulations involved and the responsibilities of the permit holder.

How do I obtain a special occasion permit?

Under the Liquor Licence Act, 1975, a special occasion permit is required for the sale or service of liquor for a special occasion. Application forms are available at all Liquor Control Board of Ontario (LCBO) retail stores throughout the province and at wine stores.

The application must be submitted *at least* 10 days prior to the event and be accompanied by a certified cheque or money order for the permit fee, *payable to the Liquor Licence Board of Ontario*. Applications and fees for outdoor and fund raising events must be submitted at least 30 days prior to the event and not less than 60 days ahead of time for community festivals.

Approximately one fifth of all LCBO stores throughout the province issue special occasion permits. Staff at your local store will be able to inform you whether permits are issued there or whether the application and fee should be mailed or delivered to another location. All permits for metropolitan Toronto are issued at the Liquor Licence Board of Ontario head office, 55 Lakeshore Boulevard East, Toronto, Ontario, M5E 1A4 Telephone (416) 965-4675.

What are the types of permit?

There are two types of special occasion permits: “no sale” and “sale”. The “no sale” permit is issued when the liquor will be served without charge and there will be no transaction of tickets or money, directly or indirectly.

A “sale” permit is issued when money will be received for the liquor. Under the regulations of The Liquor Licence Act, 1975, “sell” is defined as follows: “‘Sell’ means to supply for remuneration, directly or indirectly, in any manner by which the cost is recovered from the person supplied, alone or in combination with others, and ‘sale’ has a corresponding meaning.”

Status of community

A number of communities in Ontario have never held a referendum permitting the sale of liquor. The status of the community affects the type of permit which may be issued.

Communities are classified as follows:

Dry means the community does not permit the sale of liquor by the glass. Thus only “no sale” permits may be issued.

Wet means the community permits the sale of liquor and all types of permits may be issued.

Beer and wine means the community has voted in favour of allowing only the sale of beer and wine, not spirits. Therefore a “sale” permit may be issued only for beer and wine.

Staff at the local LCBO store will be able to inform you of the status of the community.

What does ‘nature of event’ mean?

The following are the different types of events for which a permit may be required and the regulations concerning each type.

Wedding

A wedding reception or wedding anniversary is usually a “no sale” event. A “sale” permit is allowed if the person applying requests it.

Reception

A reception is usually a “no sale” event, where liquor is not sold, either directly or indirectly. Examples: anniversaries, baptisms, bar mitzvahs, christenings, communions, company-sponsored meetings, engagements, graduation, retirements, reunions, showers, wakes.

Social

A social is a "sale" event at which liquor is sold to recover costs and the event is not conducted with the intention of gain or profit. No advertising may be published or distributed in any way. The event is to be attended by the members of a group or association and their guests; the public is not permitted to attend. Examples: annual banquets, club dances, club meetings.

Fund raising

A fund raising is a "sale" event that is conducted to raise money for charitable, educational, religious or community needs. A financial statement of the sponsoring organization may be required. Advertising is permitted, but is limited to the following:

- a) the name of the event;
- b) the purpose and sponsorship of the event;
- c) the admission charge (if any);
- d) the place of the event; and
- e) the entertainment. The advertisement may say "Held under the authority of a special occasion permit", *but the availability of service of liquor shall not be expressed in any other form.*

A letter explaining where the funds will be distributed shall accompany the application form, which must be submitted not less than 30 days prior to the event.

Advertising may not be placed in the media until the permit has been approved by the board.

Community festival

A community festival is a "sale" event. The following documents must be submitted with the application form:

- a resolution passed by the local council of the municipality approving the event and its location and
- evidence that the police department, fire department and medical officer of health have been notified.

Advertising must be approved by the board, and must be submitted with the permit application, *not less than 60 days prior* to the event. The event may not be longer than one 10-day period in any calendar year. A permit for this type of event may be issued only to an approved organization.

Outdoors

The outdoors category refers to a "sale" event which may be held in a public park. The event must be held in an enclosed area clearly defined and separated from the rest of the park. A letter must be attached to the application for an event to be held in a public park, setting out the nature, purpose and scope of

the event, estimated attendance, security and control measures to be provided. In addition, plans must be submitted showing the location of:

- any buildings, tents or areas to be used;
- place where food is to be served and consumed;
- service bars; and
- displays, booths, etc.

A resolution of the local council in the municipality approving the event and its location, plus evidence that the local police, fire department and medical officer of health have been notified that the event is to take place and the location, must be included with the application.

Evidence that the above requirements have been met must be submitted to the board *at least 30 days prior* to the event with the application and fee. When required by the board, an audited financial statement of the event must be submitted.

Other

Events in the “other” category are usually “sale” events of municipal, provincial, national or international significance, such as certain convention functions. They may involve different hours from those during which liquor is normally served. A special occasion permit *will not* be issued for an event held in an enclosed shopping mall during the hours when stores are open for business, except if an auditorium, banquet room or similar facility located on the premises is used.

Lottery licences

A lottery licence for organized draws may be obtained from the clerk in the municipality where the lottery is taking place. A copy of the licence is to be submitted with the application form.

Monte Carlo licences

When gambling is taking place at an event, a copy of the Monte Carlo licence must be presented with the special occasion permit application form. Monte Carlo licences may be obtained from:

The Director, Lotteries Branch
Ontario Ministry of Consumer and
Commercial Relations
555 Yonge St., 3rd Floor
Toronto, Ont. M7A 2H6
Phone: (416) 963-0272

When may liquor be served?

Liquor may be sold and served under the authority of a special occasion permit only during the hours specified in the permit. All evidence of the service and consumption of liquor must be removed within one half hour after the end of this time period.

Sundays

Liquor may be sold or served on a Sunday under the authority of a special occasion permit between 12:00 noon and 10:00 p.m., at events during which liquor is served to a person who is having a meal while seated at a table.

A permit authorizing the sale or service of liquor on a Sunday is usually valid only for one three-hour period. Where two meals are served at the event, liquor may be served for two three-hour periods, as set out in the permit.

Liquor may be sold or served under certain circumstances on a Sunday at an event which is a municipal, provincial, national or international convention.

Liquor may be served on a Sunday at a religious function under the authority of a special occasion permit that does not permit the sale of liquor by contacting Head Office for approval.

Where may the special event be held?

Special occasion permits may be issued only in connection with premises which have been approved by the police, health and fire departments and the Liquor Licence Board of Ontario. The owner or manager of the hall, banquet room or other facility you propose to use will be able to inform you whether this is the case.

For regulations concerning events held in public parks or shopping malls, see the descriptions of "outdoors" and "other" events.

What are the rules about minors?

It is illegal in Ontario to serve liquor to persons who have not attained the age of nineteen years. Minors may attend the function if this is indicated on the permit but it is the responsibility of the permit holder and the hall operator to ensure that they are not served liquor.

Is it necessary to serve food?

Yes. No liquor may be sold or served under the authority of a special occasion permit unless there is an adequate supply of food to serve the people attending the event.

Are there any special rules for organizations?

Groups or organizations which wish to obtain special occasion permits must submit the constitution and by-laws of their organization, plus a list of their officers and directors, to the Liquor Licence Board of Ontario. This enables them to become registered with the board and to obtain an approval number which is used in applying for permits for future functions.

How much liquor may be purchased?

The Ontario Liquor Licence Act, 1975 and its regulations state that the maximum amount of liquor (spirits, wine and beer) that may be purchased for each person attending an event under the authority of a special occasion permit shall be: four ounces of spirits *or* four bottles of beer *or* a combination thereof *and* one half-bottle of wine for each three-hour period.

To simplify the calculation of the amount of liquor which may be purchased, an order limitation guide is included at the end of this booklet.

No liquor other than that purchased under the authority of the special occasion permit may be sold or served at the function.

Return of liquor purchased under a special occasion permit:

Full resaleable bottles of liquor with seals intact, or unopened cases of beer, may be returned for a refund within seven days of the event. The liquor must be accompanied by the special occasion permit and the levy fee listing.

What charges are payable?

Cost of permit

The fee payable, per day, for a special occasion permit varies according to the type of permit and the amount of liquor purchased. The fee for a “no sale” permit is \$10.00 per day. Fees for “sale” permits are shown in the chart below.

Quantities refer to standard bottles of spirits (whiskey, gin, rum, etc.) and wine and cases containing 24 12-ounce bottles of beer.

Fees payable—“sale” permits

<i>Spirits (bottles)</i>	<i>Beer (cases)</i>	<i>Wine (bottles)</i>	<i>Fee/day</i>
1-10	1-5	up to 30	\$15.00
11-20	6-10	31-60	\$25.00
21-30	11-15	61-90	\$30.00
31-50	16-25	91-150	\$40.00
51 and up	26 and up	151 and up	\$50.00

The first example refers to a “sale” type special occasion permit where the liquor purchased does not exceed:

10 bottles of spirits or 120 12-ounce bottles of beer or any combination thereof *and* 30 bottles of wine.

Levy fees

Holders of “sale” permits are required by law to pay a special levy on all liquor purchased for the event. This levy is in lieu of provincial retail sales tax on their sales at the event. The fee is payable at the time the permit is obtained.

This special levy does not apply to special occasion permits obtained for “sale” weddings or when the liquor purchased is not for resale.

It is illegal to sell or serve liquor at an event unless there is evidence that the levy fee has been paid. The levy sheet must be prominently displayed near the bar, together with the special occasion permit. In larger centres, bottles obtained for special events carry levy stickers and cases are specially stamped.

The special occasion permit levy is calculated as follows:

<i>Spirits</i>	<i>Levy per unit</i>
Each bottle of up to and including 18 ounces ..	\$0.75
Each bottle over 18 ounces and up to and including 30 ounces	1.50
Each bottle over 30 ounces not exceeding 50 ounces	2.00
<i>Wine</i>	
Each bottle of up to and including 40 ounces .	.75
Each bottle over 40 ounces and up to and including 80 ounces	1.50
Each bottle over 80 ounces	3.00
<i>Beer</i>	<i>Levy per unit</i>
Each pack of 6 12-ounce bottles	\$0.35
Each pack of 12 12-ounce bottles or cans75
Each pack of 24 12-ounce bottles	1.25
Each pack of 12 22-ounce bottles	1.25
Each keg of 12.5 gallons	9.00

What are my responsibilities as a permit holder?

A special occasion permit holder and the owner and manager of the hall or other facility are responsible for the safety and sobriety of the people attending the event.

- No drunkenness or disorderly conduct is permitted.
- There shall be no sale or service to any intoxicated person.
- No person who has not attained the age of nineteen or who has been disqualified from drinking liquor is to be served or allowed to consume liquor.
- No liquor shall be sold or served unless there is an adequate supply of food to serve to the people attending the event.
- Minors employed as help may not assist in the sale or service of liquor in any manner.
- Owners and managers of halls may not benefit from the proceeds from the bar or door receipts.
- The special occasion permit and levy fee listing must be posted in a prominent place by the bar for inspection by the police and/or Liquor Licence Board inspectors.

These officials may enter the area before, during and/or after the event.

What are the penalties for failure to comply with the rules?

The person to whom a special occasion permit is issued, or in the case of an organization, the person who made the application for the permit, who,

- a) knowingly furnishes false information in any application under the Liquor Licence Act, 1975 or in any statement or return required to be furnished under this Act or the Regulations;
- b) knowingly fails to comply with an order of the board regarding advertising under Subsection 2 of Section 50; or
- c) contravenes any provision of the Liquor Licence Act, 1975 or the Regulations

and every director or officer of a corporation who knowingly contravenes the Act or the Regulations is guilty of an offence and on summary conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than one year, or to both.

For further information

If you have a question about applying for a special occasion permit which is not covered by this booklet, the staff of your local Liquor Control Board of Ontario retail store will be happy to assist you. If you require a special ruling or interpretation, contact:

Special Occasion Permits

The Liquor Licence Board of Ontario

55 Lakeshore Blvd. E.

Toronto, Ont. M5E 1A4

Telephone: (416) 965-4675

Order limitation guide

Duration of event

Number of People	1 Hr.		2 Hr.		3 Hr.		4 Hr.		5 Hr.		6 Hr.		7 Hr.		8 Hr.	
	Units*	Wine†	Units*	Wine†	Units*	Wine†	Units*	Wine†	Units*	Wine†	Units*	Wine†	Units*	Wine†	Units*	Wine†
50	3	8	5	17	8	25	11	33	13	42	16	50	19	58	22	67
75	4	13	8	25	12	38	16	50	20	63	24	75	28	88	32	100
100	5	17	11	33	16	50	21	67	27	83	32	100	37	117	42	133
125	7	21	13	42	20	63	27	83	34	104	40	125	47	146	54	167
150	8	25	16	50	24	75	32	100	40	125	48	150	56	175	64	200
175	9	29	19	58	28	88	37	117	47	146	56	175	65	204	74	233
200	11	33	21	67	32	100	43	133	53	167	64	200	75	233	86	267
225	12	38	24	75	36	133	48	150	60	188	72	225	84	263	96	300
250	13	42	27	83	40	125	53	167	67	208	80	250	93	292	106	333
275	15	46	29	92	44	138	59	183	73	229	88	275	103	321	118	367
300	16	50	32	100	48	150	64	200	80	250	96	300	112	350	128	400
350	19	58	37	117	56	175	75	233	93	292	112	350	131	408	150	467
400	21	67	43	133	64	200	85	267	107	333	128	400	150	467	171	533
450	24	75	48	150	72	225	96	300	120	375	144	450	169	525	193	600
500	27	83	53	167	80	250	107	333	133	417	160	500	187	583	214	667
550	29	92	59	183	88	275	117	367	147	458	176	550	205	642	234	733

* Units refers to bottles of spirits or cases of beer.

† Wine refers to bottles.

Notes:

Be an informed consumer

The Ontario consumer ministry has published a number of other booklets covering a range of consumer topics, such as:

- ☐ Refunds and exchanges
- ☐ The facts about credit and you
- ☐ Mail order buying
- ☐ The nuts and bolts of car repair
- ☐ Hints for homeowners; insulation; paving; siding
- ☐ So you want to buy a home!
- ☐ Insurance guide
- ☐ Consumer tips for senior citizens
- ☐ The Consumer Protection Act
- ☐ The Business Practices Act
- ☐ Complete list of ministry publications

Copies of these publications may be picked up in person at the Consumer Information Centre, 555 Yonge St., Toronto (telephone collect at 416/963-1111), or from Consumer Service Bureaus in Hamilton, London, Ottawa, Peterborough, Sudbury, Thunder Bay and Windsor.

For direct mail requests, please check (✓) the above publications of interest, complete the following form, and mail to:

Consumer Information Centre
Ontario Ministry of Consumer and
Commercial Relations
555 Yonge St.
Toronto, Ont. M7A 2H6

Name: _____

Address: _____
(street & no.) (apt.)

(city) (prov.) (postal code)

We'd like to hear from you.

The consumer ministry welcomes any comments and suggestions on its information materials, programs and customer services. In this way we can best respond to your needs in the marketplace.



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